

EXHIBIT 18

1	UNITED STATES DISTRICT COURT		
2	WESTERN DISTRICT OF TEXAS		
	SAN ANTONIO DIVISION		
3	LA UNION DEL PUEBLO ENTERO,) (
4	ET AL) (
5	VS.) (CASE NO. 5:21-cv-844-XR
6	GREGORY W. ABBOTT, ET AL) (
7	OCA GREATER HOUSTON, ET AL) (
8) (
9	VS.) (CASE NO. 1:21-cv-780-XR
10	JOHN SCOTT, ET AL) (
11) (
12	HOUSTON JUSTICE, ET AL) (
13) (
14	VS.) (CASE NO. 5:21-cv-848-XR
15	GREGORY WAYNE ABBOTT, ET AL) (
16	LULAC TEXAS, ET AL) (
17) (
18	VS.) (CASE NO. 1:21-cv-0786-XR
19	JOHN SCOTT, ET AL) (
20) (
21	MI FAMILA VOTA, ET AL) (
22) (
23	VS.) (CASE NO. 5:21-cv-0920-XR
24	GREG ABBOTT, ET AL) (
25) (

Juanita Valdez-Cox

March 04, 2022
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1 UNITED STATES OF AMERICA) (
2) (
3 VS.) (CASE NO. 5:21-cv-1085-XR
4) (
5 THE STATE OF TEXAS, ET AL) (
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9 ORAL DEPOSITION OF

10 JUANITA VALDEZ-COX

11 MARCH 4, 2022
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16 ORAL DEPOSITION OF JUANITA VALDEZ-COX, produced as a
17 witness at the instance of PATRICK K. SWEETEN and duly sworn,
18 was taken in the above-styled and numbered cause on the 4th day
19 of March, 2022, from 10:05 a.m. to 2:58 p.m., before SHANA
20 LIVELY, CSR, RPR, CRR, RMR, in and for the State of Texas,
21 reported by Stenograph, remotely, pursuant to the Texas Rules
22 of Civil Procedure, the current Emergency Order Regarding the
23 COVID-19 State of Disaster, and the provisions stated on the
24 record or attached herein.
25

1 A LUPE -- LUPE was formed because the United Farm
2 Workers dealt with those of us that worked in the fields in a
3 way where we could not be -- for example, not be poisoned by
4 pesticides while we were feeding this world and -- and, for
5 example, for us to have toilets in the fields, for us to not
6 have to work bent over with a short-handled hoe.

7 And so we became affiliated with -- me, I'm
8 saying my family and I, with the United Farm Workers, and
9 that's how we were able to change many of those -- of those
10 laws. And so -- what did you ask again? What was it?

11 Q Why was it formed?

12 A Why?

13 Q Yes, ma'am.

14 A Okay. It was for those reasons that -- that it was
15 formed. And did you ask about LUPE?

16 Q LUPE.

17 A No. You just asked about --

18 Q LUPE. Yes, ma'am. That's what I was asking. Why
19 was LUPE formed?

20 A Okay. I was heading there.

21 Q Okay.

22 A That's where I was. Okay. So because of those
23 issues in the -- in the fields, right, that we -- we were --
24 joined the United Farm Workers, but then at the point the farm
25 workers deals with grievances in the fields, the United Farm

1 Workers deals with employers so that -- the farmers so that we
2 can negotiate a contract for better wages for farm workers, but
3 that was in the fields, and United Farm Workers deals with
4 those issues.

5 LUPE is a community union because Cesar Chavez
6 and Dolores Huerta felt that the farm workers, when we're in
7 the fields, when we come home, we still have to deal with
8 issues in our community, like housing, like, you know, making
9 sure that we're counted correctly, you know, by the Census,
10 education. All of those issues belong not to the United Farm
11 Workers because they're in the fields with farm workers. We
12 are, as the name says in Spanish, La Union Del Pueblo Entero,
13 the union of all, so -- so we deal with all of those other
14 issues.

15 Q Okay. So it sounds like to me the breakdown is that
16 United Farm Workers is kind of operationally in the field
17 working to represent workers in that union.

18 A Yeah, but in that --

19 Q And then your union is -- is -- is -- does other
20 issues that may impact those workers?

21 A That is correct.

22 Q Okay.

23 A And sometimes -- but because we're a union for
24 everyone, we also have farm workers that belong to LUPE.

25 Q Okay. All right. Now, you're the executive

1 elections.

2 Q Okay. And then with respect to -- I mean, you used
3 the term canvassing activities. Are those the same as the
4 get-out-to-vote initiatives?

5 A That's part of getting out the vote.

6 Q And you've described what canvassing is because that
7 -- that's -- canvassing is talking to them about issues and --

8 A Yeah.

9 Q And candidates.

10 A Yes.

11 Q Okay. Now, this -- this last week, prior to last
12 week, did you do some canvassing and get-out-the-vote
13 initiatives?

14 A Oh, yes, uh-huh.

15 Q Okay. When did those start?

16 A They start before the early vote.

17 Q Okay. So you were -- you began your efforts prior to
18 early voting?

19 A Uh-huh.

20 Q Okay. That's yes?

21 A Yes.

22 Q Okay. And so that would have been about
23 mid-February? That's a bad question. Let me ask it again. I
24 think early voting started in mid-February. So you began those
25 canvassing and get-out-the-vote measures when, prior to the

1 early voting?

2 A Before the early vote.

3 Q Okay. How many -- how many weeks before?

4 A Probably -- probably two to three.

5 Q And that's -- that's the usual way you do it? You
6 get out two to three weeks in advance of an election and
7 canvass and get out the vote, right?

8 A Yes.

9 Q Okay. By the way, on those individuals that -- that
10 -- and do you do this personally, the canvassing and
11 get-out-the-vote measures?

12 A No, no, I don't. I -- no, I don't.

13 Q Are the individuals that do it, are they paid staff,
14 or are they volunteers?

15 A We have both, but majority are paid staff.

16 Q Okay. And they did -- they -- and they -- this
17 year was like the last year? Same paid staff, right? I mean,
18 same model? You used paid staff to go do the canvassing,
19 correct?

20 A Yes.

21 Q Okay. Same number of staff, would you say roughly?

22 A We had more this time.

23 Q Okay. How many more?

24 A We hired seven.

25 Q Okay.

1 that role?

2 A Oh, actually, she's -- she just started, actually, so
3 just this year, so she wouldn't have -- yeah, but she still has
4 information.

5 Q She would have the information, the historical
6 information, from '18?

7 A Yes.

8 Q Okay. Would you say it was as -- you had a
9 successful canvassing and get-out-the-vote operation this
10 time?

11 A What -- what year?

12 Q This year, this primary. Was it successful?

13 A It could have been -- it wasn't as successful,
14 because there was too much confusion created with SB1.

15 Q Okay. Did you -- did you witness any reduction in
16 the number of staff or volunteers that were willing to do these
17 activities?

18 A There was a reduction.

19 Q Okay. From what to seven?

20 A The reduction was in -- in assisting, to have it be
21 more successful in assisting voters.

22 Q Okay. Then -- and I -- I thought we were talking
23 about get-out-the-vote operations. Do you consider
24 assistance --

25 A That's part --

1 Q Let me finish the question if I could. Do you
2 consider the assistance of voters part of your get-out-the-vote
3 canvassing operations?

4 A Yes, it's part of it. The whole --

5 Q Okay.

6 A It's all -- until we finish getting the vote -- the
7 -- the -- getting people -- assisting people to vote. That's
8 the end of it.

9 Q Okay. Now, you've estimated for me that there were
10 seven individuals involved in your get-out-the-vote canvassing
11 operations. That includes assisters, I assume.

12 A That includes who?

13 Q Assisters.

14 A That's --

15 Q You've said that that's part of the effort, so those
16 wouldn't --

17 A Yes, yes, yes, yes. I thought you said sisters.

18 Q Okay. Sorry.

19 A Okay, okay. That includes -- we also have -- yes, it
20 includes them and then some volunteers.

21 Q Okay. So you gave me a number of seven?

22 A Yes.

23 Q The number of assisters and volunteers encompasses
24 that total of seven, correct? There were seven total in the
25 get-out-the-vote operations for 2022? That's what you said,

1 there is all kinds of reasons as to why we would have more or
2 we would have less.

3 Q Okay. I understood that, but I'm asking you to
4 compare the primary election in 2018 to the primary election in
5 2022. And you've told me that you can't tell me how many
6 people served as assisters in 2022.

7 A Uh-huh.

8 Q And so I'm asking you, can you tell me how many
9 served either as an employee or volunteer assister in 2018 at
10 the March primary?

11 A Well, at that time, we had many more, because even I
12 was one of them. This year I was not. And we have -- and we
13 would have definitely had more. We didn't have as many this
14 year because we were very concerned about the implications
15 of -- I think there is -- there was a -- criminal penalties
16 now. Because I -- I helped people, I would take the oath. And
17 now apparently there was something else added that -- that had
18 criminal penalties.

19 Q Okay. So just so your testimony is clear, though,
20 you think it was more?

21 A I know it was more.

22 Q Okay. But my question is, as far as you being able
23 to tell me how many there were in '22 and 2018, you can't do
24 that? You don't know that answer?

25 A If you want the -- a number -- you want a number, but

1 Q And what was her last name? The lady's name that
2 helped, that did do it -- that did work this year? You just
3 said --

4 A Rocha, Cris. Oh, you have that name down.

5 Q Okay.

6 A Yeah. Who was it? Who else was it that helped? Oh,
7 Marta Sanchez. She helps. Also, I'm trying to, yeah, just
8 think how we lined them up and then who takes -- because we
9 take, like, a group. I'll help this one, you help this one,
10 you help this one. We have more. I just can't think of
11 them.

12 Q Okay. Have you told me everybody you can remember
13 right now?

14 A Yes.

15 Q Okay. And how many is that?

16 A One, two, three.

17 Q Okay. And you're saying that those three, including
18 yourself -- are you one of the three?

19 A I am.

20 Q Okay. Those three, based on your conversations with
21 them, or your own knowledge.

22 A Yes.

23 Q That the sole reason that they are not serving as
24 assistants this year is based on the provisions of SB1 related
25 to assistants?

1 A You are correct.

2 Q All right. And you said that there is somewhere we
3 could look. If we wanted to look to see how many assisters you
4 used in the primary of 2018 and how many used in the -- in the
5 primary of 2022, there is a document that would show that,
6 correct?

7 A I don't know. I don't know if there is a document,
8 but I could ask the staff. We have the same folks helping.

9 Q Okay. And did you ask about that document before the
10 deposition today?

11 A No.

12 Q Okay. Did you go back and review figures from '18
13 and how many assisters were used during that time? No?

14 A No.

15 Q Okay. Is there a reason you didn't go back and do
16 that research?

17 A I didn't have your questions, I guess.

18 Q Okay. I mean, you did have the topics, though,
19 right? You had the topics to the corporate rep?

20 A Right.

21 Q Okay. And --

22 A But here they didn't ask me names or they didn't ask
23 me --

24 Q Okay. And if we can go to paragraph 165.

25 A Okay.

1 THE VIDEOGRAPHER: Okay. Back on the record at
2 2:48 p.m.

3 MR. SWEETEN: I always do that. Thanks, Bud.

4 Q (BY MR. SWEETEN) On -- in your interrogatories you
5 state that SB1 will deprive LUPE's members of the assistants of
6 their choice?

7 A Where are you?

8 Q I'm not anywhere. We can pull up the exhibit. It's
9 No. 2. It's page 6 of Exhibit 2.

10 A Okay. I'm here. I got it.

11 Q Okay. Let me find it. SB1 will injure LUPE's
12 members by depriving them of the assistants of their choice.
13 Did I -- did I read that correctly? It's --

14 A I don't -- hold on. I don't have that.

15 Q Okay. I'll show you where I am. This may help. So
16 I'm just reading this sentence right here in the middle.

17 MS. PERALES: Somewhere in here.

18 A I got it. Uh-huh.

19 Q (BY MR. SWEETEN) SB1 will injure LUPE's members by
20 depriving them of their assistants of their choice.

21 A Yes.

22 Q Did I read that correctly?

23 A Yes, you did.

24 Q What is the basis for LUPE'S claim that -- that --
25 not -- that they will be deprived of the assistants of their

1 choice?

2 A There it was about -- it's about our voters, our
3 members, asking me or asking one of -- one of our staff to
4 assist them and ask -- this time having to say -- we're sort of
5 worried because somewhere in there it talks about civil
6 penalties and that we could go to jail if we -- if we didn't
7 understand correctly or sign the -- the extra -- the extra
8 affidavit. Is it an affidavit? Or the second testimony.
9 Because there was one, and now because of this they have this
10 other one. We only used to sign one, to swear to one. Now
11 there is two documents, right? That's because one of our staff
12 did help people to vote. And -- well, she helped one or two.
13 But she was also worried, so she called me about -- that there
14 was two of them.

15 Q Okay.

16 A So -- so we didn't have that before.

17 Q But you would agree if you follow the -- the rules,
18 which are -- and what you've described --

19 A Uh-huh.

20 Q If you do what you're supposed to do, then
21 you -- there is no issue, correct?

22 A It's confusing.

23 Q Okay.

24 A It -- you know, they give you a few minutes and you
25 read all of it -- they are reading all of that to you and

1 you're swearing. You're not absolutely sure. I'd rather not,
2 right? And that's why I didn't -- I didn't go and help
3 anybody. And if I didn't know and I've been involved in this
4 and it was still confusing, I think that's -- that's why we --
5 we didn't -- we didn't help as many people.

6 Q Okay. Would you agree and -- and in some Election
7 Code provisions -- you've been doing this for a long time?

8 A I have.

9 Q And some Election Code provisions, maybe the first
10 time they're introduced, you know, you're a little unfamiliar
11 but they become more routine and more normal as time goes on
12 and you're familiar with the process, right? That does happen,
13 right?

14 A It does, it does.

15 Q Okay.

16 A But it seems like -- like -- it seems like now
17 that there are more minority voters, for some reason it seems
18 like a threat on some people, and -- and now that more of us
19 vote, they're trying to keep us away from -- from -- from
20 voting.

21 Q And that's -- that's the opinion you have and you've
22 expressed in your lawsuit, right?

23 A Yes, because that's what exists out there.

24 Q Okay. But we have -- just to be clear, you haven't
25 talked to any legislator other than potentially democratic

1 medical conditions associated with those individuals, that we
2 don't have an objection to you preliminarily marking those as
3 confidential.

4 MS. PERALES: Okay.

5 MR. SWEETEN: Those two categories. I think
6 that's what we agreed to, right, Nina?

7 MS. PERALES: Okay.

8 MR. SWEETEN: All right.

9 MS. PERALES: And I have no questions for the
10 witness at this time. I will reserve my questions for the time
11 of trial.

12 MR. SWEETEN: Okay.

13 MS. PERALES: I just want to take a moment to
14 see if anybody who is also participating by Zoom has a
15 question, and if not, I believe this deposition has concluded.
16 Thank you, everybody.

17 THE VIDEOGRAPHER: Okay. Off the record at 2:58
18 p.m.

19 (Deposition adjourns at 2:58 p.m.)
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